

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

**United States Patent Application**  
**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TRANSGENIC MICE COMPRISING A GENOMIC HUMAN TAU TRANSGENE**,

the specification of which was filed on July 16, 2003 as application serial no. 10/620,840 and was amended on January 16, 2004.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patent ability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patent ability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**Application Number**

60396699

60405363

**Filing Date**

July 16, 2002

August 21, 2002

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

**Customer Number: 21186**

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:

**Customer Number. 21186**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Karen Duff**

Citizenship: **United Kingdom**

Residence: **New York, NY**

Post Office Address: Bldg. 1 Washington Square Village  
Apt. 6J  
New York, NY 10012

Signature: \_\_\_\_\_  
Karen Duff

Date: 6/16/06

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Full Name of joint inventor number 2 : **Peter Davies**

Citizenship: **United Kingdom**

Residence: **Rye, NY**

Post Office Address: 40 Claremont Avenue  
Rye, NY 10580

Signature: \_\_\_\_\_  
Peter Davies

Date: \_\_\_\_\_

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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

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Full Name of joint inventor number 1 : **Karen Duff**

Citizenship: **United Kingdom**

Residence: **New York, NY**

Post Office Address: Bldg. 1 Washington Square Village  
Apt. 6J  
New York, NY 10012

Signature: \_\_\_\_\_  
Karen Duff

Date: \_\_\_\_\_

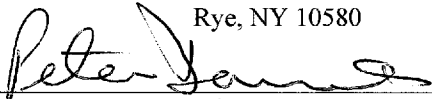
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Full Name of joint inventor number 2 : **Peter Davies**

Citizenship: **United Kingdom**

Residence: **Rye, NY**

Post Office Address: 40 Claremont Avenue  
Rye, NY 10580

Signature:   
Peter Davies

Date: 6/21/06

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- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

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**S/N 10/620,840**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Karen Duff	Examiner:	Shin-Lin Chen
Serial No.:	10/620,840	Group Art Unit:	1632
Filed:	July 16, 2003	Docket No.:	1310.002US1
Title:	TRANSGENIC MICE COMPRISING A GENOMIC HUMAN TAU TRANSGENE		

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**REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 1.48(a)(1), Applicant respectfully requests that the inventorship of the above-identified application be corrected to add Peter Davies as a co-inventor. Thus, Karen Duff and Peter Davies are the co-inventors of the claims of the present application.

Respectfully submitted,

KAREN DUFF,

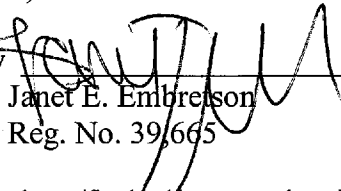
By her Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH,  
P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6959

Date

June 27, 2006

By

  
Janet E. Embretson  
Reg. No. 39,665

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of June, 2006.

Name

John M. Gusper-Wheeler

Signature

John M. Gusper-Wheeler

**S/N 10/620,840**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Karen Duff	Examiner:	Shin-Lin Chen
Serial No.:	10/620,840	Group Art Unit:	1632
Filed:	July 16, 2003	Docket No.:	1310.002US1
Title:	TRANSGENIC MICE COMPRISING A GENOMIC HUMAN TAU TRANSGENE		

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**STATEMENT OF PETER DAVIES UNDER 37 C.F.R. § 1.48(a)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Peter Davies, declare that the error which caused the inventive entity to be set forth in error in the executed Declaration filed on January 16, 2004 in the above-identified application occurred without any deceptive intent on my part.

Date 6/21/06 By Peter Davies  
Peter Davies

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of June, 2006.

John D. Gustafson-Wrapell  
Name

John D. Gustafson-Wrapell  
Signature



S/N 10/620,840

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Karen Duff	Examiner:	Shin-Lin Chen
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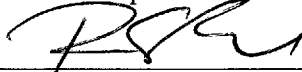
**CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP**

Commissioner for Patents  
MS: Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Research Foundation for Mental Health, Inc., 150 Broadway, Suite 301, Menards, NY 12204 (a corporation existing under the laws of the state of New York), being the co-owner of the above-identified application, as evidenced by the Assignment from Karen Duff to Research Foundation for Mental Health, Inc. filed on eventdate herewith (a copy is enclosed herewith) and the Assignment from Peter Davies to Albert Einstein College of Medicine of Yeshiva University. filed on eventdate herewith (a copy is enclosed herewith), hereby consents to the change of inventorship in the above-identified application from the sole inventorship of Karen Duff to the joint inventorship of Karen Duff and Peter Davies.

Previously, in error, Karen Duff executed an assignment to The Nathan S. Kline Institute for Psychiatric Research. However, Karen Duff is obligated to assign her rights in the above-referenced matter to Research Foundation for Mental Health, Inc.

I declare that I am an Official of the Assignee who is empowered to authorize this consent.

Date: 6/20/06 By:   
Name: Robert E. Burke  
Title: Managing Director